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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,222	09/16/2003	Karl M. Armagost	47320.0126	2221
20874	7590	06/22/2006	EXAMINER	
WALL MARJAMA & BILINSKI 101 SOUTH SALINA STREET SUITE 400 SYRACUSE, NY 13202			CHEN, TIANJIE	
			ART UNIT	PAPER NUMBER
			2627	

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20060615

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Commissioner for Patents

1. The preliminary amendment filed on 02/06/2006 was not entered because entry of the amendment would unduly interfere with the preparation of the Office action. See 37 CFR 1.115(b)(2). The examiner spent a significant amount of time on the preparation of an Office action before the preliminary amendment was received. On the date of receipt of the amendment, the examiner had completed the first Office action as a Non-Final Rejection. This Office action was mailed on 01/24/2006 (and remailed on 02/14/2006 due to the change of Power of Attorney). It clearly shows that the Office action is completed before Applicant's submission of the Preliminary Amendment on 02/06/2006 (MPEP 714.01 (e) IV B). Furthermore, entry of the preliminary amendment would require significant additional time on the preparation of the Office action. Specifically, Applicant has entered a set total new claims, entry of the preliminary amendment would require the examiner to rewrite the whole Office action, which requires completely new search and evaluation. A responsive reply (under 37 CFR 1.111 or 37 CFR 1.113 as appropriate) to this Office action must be timely filed in one month period to avoid abandonment. If this is not a final Office action, applicant may wish to resubmit the amendment along with a responsive reply under 37 CFR 1.111 to ensure proper entry of the amendment.


TIANJIE CHEN
PRIMARY EXAMINER